

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:95-cr-119-MOC**

UNITED STATES OF AMERICA,

vs.

GERALD DAMONE HOPPER,

Defendant.

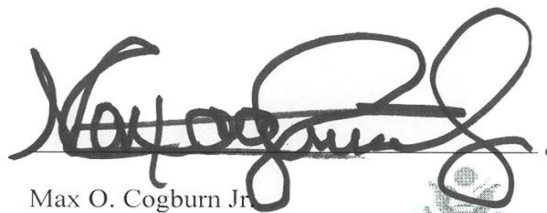
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ORDER

THIS MATTER is before the Court on Defendant's Motion to Suppress. (Doc. No. 252). The Government has filed a brief in opposition to the motion. (Doc. No. 253).

In his suppression motion, supervised release defendant Hopper raises several issues challenging the admissibility of the evidence gathered against him and moves to suppress this evidence pursuant to FED. R. CRIM. P. Rule 41(h), which states that "[a] defendant may move to suppress evidence in the court where the trial will occur, as Rule 12 provides." The Fourth Circuit has ruled, however, that "the exclusionary rule does not apply in supervised release revocation proceedings." United States v. Armstrong, 187 F.3d 392, 395 (4th Cir. 1999); see also United States v. Riley, 920 F.3d 200, 205–06 (4th Cir. 2019). Therefore, the Court **DENIES** Defendant's suppression motion.

Signed: September 23, 2022



Max O. Cogburn Jr.
United States District Judge